

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ARTHUR STROZEWSKI,

Plaintiff,

v.

**Civil Action 2:10-cv-1128
Judge Algenon L. Marbley
Magistrate Judge E.A. Preston Deavers**

**ROD'S WESTERN
PALACE, INC. et al.,**

Defendants.

ADOPTION ORDER

This matter is before the Court for consideration of the May 23, 2011 Report and Recommendation of the United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). (ECF No. 32.) The Magistrate Judge recommended that the Court grant dismiss Defendant Olia Jewelry without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

The Report and Recommendation specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation 2, ECF No. 32.) The time period for filing objections to the Report and Recommendation has expired. The parties have not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Court **DISMISSES** Defendant Olia Jewelry **WITHOUT PREJUDICE** pursuant to Rule 4(m).

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

DATED: June 8, 2011